



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
**DEPARTMENT OF TRANSPORTATION**  
LANSING

GLORIA J. JEFF  
DIRECTOR

August 3, 2005

Mr. John D. Niemela  
County Road Association of Michigan  
P.O. Box 12067  
Lansing, Michigan 48901-2067

Dear Mr. Niemela:

**Revised** Final Guidance for Projects Exempt from SHPO Review

Please find enclosed the revised guidelines for projects exempt from SHPO review. This replaces the agreement that was enclosed in our letter, dated June 16, 2005.

Local Agency Programs' web page is being updated with this revised guideline.

If you have any questions, please contact Ron Boomer, at (517) 373-9590 or [boomer@michigan.gov](mailto:boomer@michigan.gov).

Sincerely,

Rudolph S. Cadena, P.E.  
Local Agency Programs Engineer  
Local Agency Programs

Enclosure

cc: Abdelmoez Abdalla, FHWA  
Martha MacFarlane-Faes, SHPO



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August 3, 2005

Mr. Joseph A. Fivas  
Michigan Municipal League  
320 N. Washington Sq., Ste. 110  
Lansing, Michigan 48933-1288

Dear Mr. Fivas:

**Revised** Final Guidance for Projects Exempt from SHPO Review

Please find enclosed the revised guidelines for projects exempt from SHPO review. This replaces the agreement that was enclosed in our letter, dated June 16, 2005.

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cc: Abdelmoez Abdalla, FHWA  
Martha MacFarlane-Faes, SHPO

## REVISED ATTACHMENT (July 26, 2005)

### **Section 106 Guidance and Application for Review:**

Complete guidance to Section 106 consultation within Michigan can be found in the SHPO's publication *EZ 106: Separating the Monkey from the Wrench*.

All requests for SHPO consultation must be initiated by submitting a completed *Application for Section 106 Review*.

**Both EZ 106 and the Application for Section 106 Review are downloadable from the SHPO website at [http://www.michigan.gov/hal/0,1607,7-160-17449\\_18638\\_21819---,00.html](http://www.michigan.gov/hal/0,1607,7-160-17449_18638_21819---,00.html)**

**For more information about the SHPO and its programs, including access to Environmental Review links, visit <http://www.michigan.gov/shpo>**

### **Review Exemptions:**

FHWA, in consultation with the SHPO, has determined that certain categories of federally funded work do not require SHPO review. These types of projects will generally be classified as Resurfacing, Restoration and Rehabilitation (3R) Projects, Preliminary Engineering (PE) Projects, or Studies. The following activities do not meet the Section 106 definition of undertaking since they do not have the potential to cause effects on historic properties per 36 CFR § 800.3(a) **or** they have limited potential to affect historic properties and, therefore, it has been determined by the FHWA and the SHPO that *no historic properties will be affected* by these undertakings per 36 CFR § 800.4(d):

- Projects funded with state and local funds only (i.e., those with no Federal aid). Projects changed to federal funding or let with other federally funded projects ARE NOT exempted.
- Planning and Technical Studies
- Research Grants
- Preliminary Engineering
- Resurfacing, milling, or profiling within an existing curb-and-gutter roadway, with minor curb and gutter replacement in a curb-and-gutter cross-section
- Resurfacing, milling, or profiling within the existing road footprint\*\*
- Crush, shape, and resurface within the existing road footprint\*\*
- Lane and/or shoulder widening (no increase in the number of through lanes), with work only within the existing footprint of the existing roadway\*\*
- Signing, pavement marking, and traffic signals
- Pavement joint repair
- On site and in-kind replacement of guardrails

- Railroad crossing upgrades provided no runarounds are used to reroute traffic
- Bridge deck overlay
- Bridge painting, joint replacements and pin and hanger replacements on bridges less than fifty (50) years old

**\*\* For the purposes of this document, the road “footprint” shall be defined as the road area bounded on either side by the centerline of the shoulder ditch**

**Any project not listed here must be submitted to the SHPO for review. If any *portion* of the project does not meet the criteria listed here, then the entire project must be submitted to the SHPO for review.**

**In the event that you are requested to provide justification for your actions, you are advised to document your decisions regarding these exempted categories of work.**